

**AN ORDINANCE CONCERNING CONFIDENTIAL INVESTIGATION FUNDS (SO
CALLED "BUY" MONEY)**

Whereas, in the course of criminal investigations, it may be necessary to pay informants for information, make drug purchases, or other purchases of illegal substances or items in order to gather evidence to make an arrest; and

WHEREAS, the City of Evansville wishes to establish procedure for the use of funds for such purposes.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Evansville, Indiana, as follows:

SECTION 1. AMENDMENT OF SECTION 2.55.030

Section 2.55.030 of the Evansville Municipal Code is hereby amended by the addition of a new subsection (D) which new subsection shall read as follows:

(D) Confidential Investigation Fund Program and Procedures

1. COMPOSITION OF CONFIDENTIAL INVESTIGATION FUND,
PURPOSE AND POLICY

- a. There is hereby established a Confidential Investigation Fund (hereinafter "Fund") which shall consist of money appropriated by the Common Council of the City of Evansville and money received by the Evansville Police Department as its share of Federal and State forfeitures.
- b. The Fund shall be managed by the Commander of the Organized Crime Section ("OCS") of the Evansville Police Department and audited annually or more often as directed by the Evansville City Controller or the Evansville Police Chief. It is hereby established as policy of the City of Evansville that the Evansville Police Department employees requesting or utilizing monies from the Fund shall adhere to the following procedures:

2. CRITERIA FOR DISBURSEMENT

- a. The money from this Fund shall be utilized in the following manner:

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Anna Winkler
CITY CLERK

- (1) For informants working with or providing information to specific units of the OCS.
- (2) For "Buys" of illicit or illegal items in the course of criminal investigations including but not limited to:
 - (a) drugs
 - (b) narcotics
 - (c) firearms
 - (d) alcoholic beverages
- (3) For acquisition of miscellaneous items pertaining to the specific needs of an investigation.

- b. The OSC commander will maintain current and accurate bookkeeping, voucher and cash records concerning the disbursement of any money distributed from the Fund.

3. VOUCHER SYSTEM

Investigators who use money from the Fund will obtain such money from the person designated by the OCS Commander. To procure such money, the investigator must complete the Confidential Fund Voucher Form ("Voucher"), adhering to the following:

- a. The Voucher will be completed using all possible details available.
- b. If the confidential informant will possess or handle such money, the informant's name or code number will be placed on the Voucher.
- c. A case number, if available, will be placed on the Voucher.
- d. Any informant to whom such money is given for a "Buy" shall sign a receipt for such money and such receipt shall be maintained in the file therefor.
- e. All money utilized for a "Buy" situation will be photocopied in a manner that displays the serial numbers on the face of the money, with a copy of such photocopy to be included in the case file.
- f. The Voucher will be signed by the officer utilizing such money, a witnessing officer, and by the officer distributing such money.
- g. The officer utilizing such money from the Fund must specify in writing the exact nature of the expenditure and any enforcement action taken as a result of the expenditure.
- h. No such money is to be given to any informant without the approval of the OCS Commander or his/her designee.
- i. All requests for such money will require the approval of the OCS Commander or his/her designee.

4. AUDITS

The OCS Commander shall balance the Fund account on a monthly basis. The Chief of Police will appoint a qualified individual to audit all books maintained in connection with the Fund on an annual basis.

The OCS Commander shall coordinate a financial audit of the Fund with the State Board of Accounts following the end of each fiscal year.

- a. A written report documenting the audit result shall be prepared and submitted to the Evansville Police Chief for review. Any irregularities shall be noted in the report.
- b. After review by the Evansville Police Chief, or his/her designee, the audit report shall be (1) forwarded to the OCS for inclusion in its file, and (2) forwarded to the Evansville City Clerk for distribution to all members of the Common Council of the City of Evansville for their review.

SECTION 2. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage by the City Council and signing by the Mayor.

PASSED BY the Common Council of the City of Evansville, Indiana, on the 27 day of October, 2014, and on said day signed by the President of the Common Council and attested by the City Clerk.



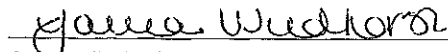
John Friend, President of the Common Council,
City of Evansville, Indiana

ATTEST:



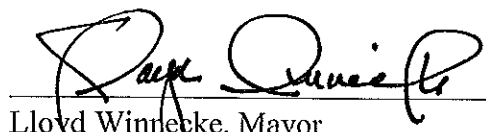
Laura Windhorst City Clerk
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 29 day of October, 2014, at 12:30 o'clock P.m. for his consideration and action thereon.



Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 30th day of October, 2014, at 2:00 o'clock P.m.



Lloyd Winnecke, Mayor
City of Evansville, Indiana

APPROVED AS TO FORM
BY TED C. ZIEMER, JR., CORPORATION COUNSEL

